

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TROY HOLMES,	:	CIVIL ACTION
Petitioner	:	
	:	
v.	:	
	:	
DAVID DIGUGLIELMO, et al.,	:	No. 05-CV-2413
Respondents	:	

**ORDER**

MICHAEL M. BAYLSON, J.

AND NOW, this                      day of                      , 2005, upon independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED
2. The petition for writ of habeas corpus is DENIED with prejudice.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of the court shall mark this case closed for statistical purposes.

BY THE COURT:

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MICHAEL M. BAYLSON, J.